Government of Kerala
1971

Reg. No. K. 107

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XVI] Trivandrum, Saturday, 31st July 1971 / 9th Sravana 1893 [No. 335

GOVERNMENT OF KERALA

Law (G) Department

OTIFICATION

No. 9050-G2/71/Law. *Dated, Trivandrum, 31st July* 1971.
9th Sravana 1893 *S. E.*

The following Act of the Kerala State Legislature is hereby published for general information. The Bill as passed by the Legislative Assembly received the assent of the Governor on the 30th day of July 1971.

By order of the Governor,
P. Gopalakrishna Warrier,
Law Secretary.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS,
TRIVANDRUM, 1971.

ACT 21 OF 1971

THE KERALA APPROPRIATION (No. 2) ACT, 1971

An Act to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Kerala for the services of the financial year commencing on the first day of April, 1971

Preamble.—WHEREAS it is necessary to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Kerala for the services of the financial year commencing on the first day of April, 1971;

BE it enacted in the Twenty-second year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Kerala Appropriation (No.2) Act, 1971.

2. *Withdrawal of Rs.* **3,92,31,36,800** *from and out of the Consolidated Fund of the State of Kerala for the Financial Year commencing on the first day of April,* 1971.—From and out of the Consolidated Fund of the State of Kerala there may be paid and applied sums not exceeding those specified in column (3) of the Schedule amounting in the aggregate to the sum of three hundred and ninety-two crores, thirty-one lakhs, thirty-six thousand and eight hundred rupees [which shall be inclusive of the sum of one hundred and thirty crores, ninety lakhs, twenty-eight thousand and two hundred rupees specified in section 2 of the Kerala Appropriation (Vote on Account) Act, 1971 (3 of 1971)] towards defraying the several charges which will come in course of payment during the financial year commencing from the first day of April, 1971 in respect of the services and purposes specified in column (2) of the said Schedule.

3. *Appropriation.*—The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Kerala by this Act shall be appropriated for the services and purposes specified in the Schedule in relation to the said year.

33/2631/71/J.

THE SCHEDULE

(*See* sections 2 and 3)

(1)	(2)	(3)		
		Sums not exceeding		
No. of Vote	*Services and Purposes*	*Voted by the Assembly*	*Charged on the Consolidated Fund*	*Total*
		Rs.	Rs.	Rs.
I	Agricultural Income Tax and Sales Tax	1,24,84,500	30,000	1,25,14,500
II	Land Revenue	3,96,71,000	..	3,96,71,000
III	Excise	82,15,300	10,000	82,25,300
IV	Taxes on Vehicles	22,61,600	1,000	22,62,600
V	Stamps	26,35,300	..	26,35,300
VI	Registration Fees	79,35,000	..	79,35,000
	Debt Charges	..	21,08,39,000	21,08,39,000
VII	State Legislature	25,65,000	48,100	26,13,100
VIII	Elections	16,30,400	..	16,30,400
IX	Heads of States, Ministers and Headquarters staff	1,67,37,200	27,01,900	1,94,39,100
X	District Administration & Miscellaneous	1,97,76,100	82,000	1,98,58,100
XI	Administration of Justice	2,05,67,300	22,79,000	2,28,46,300
XII	Jails	79,99,400	1,000	80,00,400
XIII	Police	8,05,88,800	7,100	8,05,95,900
XIV	State Insurance and Miscellaneous	1,76,51,300	1,000	1,76,52,300
XV	Scientific Departments	19,64,600	..	19,64,600
XVI	University Education	5,89,13,700	2,000	5,89,15,700
XVII	General Education	56,46,02,000	5,60,000	56,51,62,000
XVIII	Technical Education	2,32,88,000	60,000	2,33,48,000

XIX	Medical	12,68,95,200	58,500	12,69,53,700
XX	Public Health	6,04,57,600	1,000	6,04,58,600
XXI	Public Health Engineering	3,24,25,600	1,000	3,24,26,600
XXII	Agriculture	5,90,09,000	..	5,90,09,000
XXIII	Fisheries	1,68,19,800	5,000	1,68,24,800
XXIV	Rural Development	1,83,77,300	..	1,83,77,300
XXV	Animal Husbandry	3,06,27,200	200	3,06,27,400
XXVI	Co-operation	1,07,56,300	500	1,07,56,800
XXVII	Industries	1,76,92,000	..	1,76,92,000
XXVIII	Community Development Projects, National Extension Service and Local Development Works	2,88,36,900	1,000	2,88,37,900
XXIX	Labour & Employment	1,26,03,800	500	1,26,04,300
XXX	Harijan Welfare	3,88,50,600	20,000	3,88,70,600
XXXI	Statistics & Miscellaneous	1,13,55,600	2,000	1,13,57,600
XXXII	Irrigation	7,19,60,900	1,000	7,19,61,900
XXXIII	Public Works	14,59,32,100	86,300	14,60,18,400
XXXIV	Ports	25,47,700	..	25,47,700
XXXV	Transport Schemes	35,16,000	..	35,16,000
XXXVI	Famine	17,27,100	..	17,27,100
XXXVII	Pensions	5,49,88,600	2,78,200	5,52,66,800
XXXVIII	Stationery & Printing	1,56,11,300	..	1,56,11,300
XXXIX	Forest	3,51,33,900	20,000	3,51,53,900
XL	Miscellaneous	2,80,10,800	50,05,200	3,30,16,000
XLI	Miscellaneous Compensations & Assignments	49,56,500	6,21,100	55,77,600
XLII	Capital Outlay on Compensation to Land-holders	4,00,000	..	4,00,000
XLIII	Capital Outlay on Public Health	5,55,82,400	50,000	5,56,32,400
XLIV	Capital Outlay on Agricultural Improvement	20,72,400	6,65,400	27,37,800
XLV	Capital Outlay on Industrial & Economic Development	12,90,64,100	59,100	12,91,23,200
XLVI	Capital Outlay on Irrigation	6,57,34,600	2,75,000	6,60,09,600
XLVII	Capital Outlay on Public Works	9,29,31,200	3,00,100	9,32,31,300

THE SCHEDULE

(1)	(2)	(3)		
		Sums not exceeding		
No. of Vote	*Services and Purposes*	*Voted by the Assembly*	*Charged on the Consolidated Fund*	*Total*
		Rs.	Rs.	Rs.
XLVIII	Capital Outlay on other Works	38,89,000	11,000	39,00,000
XLIX	Capital Outlay on Ports	65,17,800	..	65,17,800
L	Capital Outlay on Transport Schemes	3,50,000	..	3,50,000
LI	Capital Outlay on Forests	69,90,400	1,000	69,91,400
LII	Commuted value of pensions	30,45,000	..	30,45,000
LIII	Capital Outlay on schemes of Govt. Trading	9,00,98,300	35,500	9,01,33,800
LV	Loans & Advances by the Government	15,68,45,100	..	15,68,45,100
	Public Debt Repayment			
	O. Public Debt	..	1,36,69,16,500	1,36,69,16,500
	R. Inter-State Settlement	..	1,000	1,000
	Grand Total	2,33,20,98,600	1,59,10,38,200	3,92,31,36,800

Government of Kerala
1971

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EXTRAORDINARY

PUBLISHED BY AUTHORITY

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GOVERNMENT OF KERALA

Revenue (S) Department

NOTIFICATIONS

I

No. 28351/S2/71/RD. *Dated, Trivandrum, 30th July* 1971.

S.R.O. No. 277/71.—In exercise of the powers conferred by sub-section (2) of section 1 of the Sree Pandaravaka Lands (Vesting and Enfranchisement) Act, 1971 (20 of 1971), the Government of Kerala hereby appoint 1st August, 1971 as the date on which the said Act shall come into force.

II

No. 28351/S2/71/RD. *Dated, Trivandrum, 30th July* 1971.

S.R.O. No. 278/71.—In exercise of the powers conferred by section 10 of the Sree Pandaravaka Land (Vesting and Enfranchisement) Act, 1971 (20 of 1971), the Government of Kerala hereby appoint the Special Tahsildar for Sree Pandaravaka Lands, for the purpose of making enquiry and determining the compensation payable by the landholders to the Government under section 7 and for the issue of pattas or other documents under section 9 of the said Act.

By order of the Governor,

A. K. K. Nambiar,

Revenue Secretary.

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Government of Kerala
1971

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KERALA GAZETTE

EXTRAORDINARY

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GOVERNMENT OF KERALA

Law Department

NOTIFICATION

No. 1468-II2/71/Law. *Dated, Trivandrum, 31st July, 1971/ 9th Sravana, 1893.*

The following Act of the Kerala State Legislature is hereby published for general information. The Bill as passed by the Legislative Assembly received the assent of the Governor on the 30th day of July, 1971.

By order of the Governor,

P. GOPALAKRISHNA WARRIER.
Law Secretary.

PRINTED AND PUBLISHED BY THE S.G.P. AT THE GOVERNMENT PRESS
TRIVANDRUM, 1971

ACT 22 OF 1971

THE AGRICULTURAL INCOME-TAX (SECOND AMENDMENT) ACT, 1971

An Act further to amend the Agricultural Income-tax Act, 1950.

Preamble.—WHEREAS it is expedient further to amend the Agricultural Income-tax Act, 1950, for the purposes hereinafter appearing;

BE it enacted in the Twenty-second Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Agricultural Income-tax (Second Amendment) Act, 1971.

2. *Amendment of section 16.*—In section 16 of the Agricultural Income-tax Act 1950 (XXII of 1950) (hereinafter referred to as the principal Act),—

(a) in sub-section (1), for the words "who is or has been a Judicial Officer", the words "who is, or has been, or is qualified to be appointed as, a Judicial Officer" shall be substituted;

(b) in sub-section (3), in clause (a), for the opening paragraph, the following paragraph shall be substituted, namely:—

"Subject to the provisions of sub-sections (3A), (3B), (3C) and (3D), the functions of the Appellate Tribunal may be performed—";

(c) after sub-section (3), the following sub-sections shall be inserted, namely:—

"(3A) Any member who has previously dealt with any case coming up before the Appellate Tribunal in any other capacity or is personally interested in any case coming up before the Appellate Tribunal, shall be disqualified to hear that case.

(3B) Where any member of the Appellate Tribunal is disqualified under sub-section (3A) to hear any case coming up before the Tribunal and the remaining members are divided in their opinion on any point connected with that case, the Government may appoint a person qualified to be appointed as a member of the Appellate Tribunal as an additional member of the Tribunal and, thereupon, that point shall be referred for decision to a Bench consisting of the members who are not disqualified and such additional member.

(3C) If two members of the Appellate Tribunal are disqualified under sub-section (3A) to hear any case coming up before the Tribunal, the Government may appoint a person qualified to be appointed as a member of the Appellate Tribunal as an additional member of the Tribunal and, thereupon, a Bench consisting of the member who is not disqualified and such additional member may dispose of that case.

(3D) Where any case is heard by a Bench referred to in sub-section (3C) and the members are divided in their opinion on any point, the Government may appoint a person qualified to be appointed as a member of the Appellate Tribunal as a second additional member of the Tribunal and, thereupon, that point shall be referred for decision to a Bench consisting of the member who is not disqualified under sub-section (3A), the additional member appointed under sub-section (3C) and the second additional member appointed under this sub-section.

(3E) An additional member appointed under sub-section (3B) or sub-section (3C) or a second additional member appointed under sub-section (3D) shall cease to hold office on the disposal of the case for which he was appointed.".

3. *Amendment of section 61.*—In section 61 of the principal Act,—

(a) in sub-section (1), after the words "an income-tax practitioner", the words "or a sales tax practitioner" shall be inserted;

(b) in sub-section (2), after clause (iv), the following clause shall be inserted, namely:—

"(v) "sales tax practitioner" means any person possessing the qualifications prescribed for a sales tax practitioner under the Kerala General Sales Tax Act, 1963 (15 of 1963).".